

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-cv-00620-FDW-DSC**

NICHOLAS JAREK,
Plaintiff,

vs.

CAROLYN W. COLVIN,
Commissioner of Social Security
Administration,
Defendant.



ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Summary Judgment, (Doc. No. 15) and "Memorandum..." (Doc. No. 19); Defendant's Motion for Summary Judgment (Doc. No. 17) and "Memorandum..." (Doc. No. 18) and "Supplemental Memorandum..." (Doc. No. 29); and Plaintiff's Motion to Remand to Consider New and Material Evidence (Doc. No. 25); Defendant's Response in Opposition (Doc. No. 26); Plaintiff's Reply to the Response (Doc. No. 28); and the Memorandum and Recommendation ("M&R") of Magistrate Judge David S. Cayer (Doc. No. 30) that recommends Plaintiff's Motions for Summary Judgment and Remand be denied; that Defendant's Motion for Summary Judgment be granted; and that the Commissioner's decision be affirmed. Plaintiff filed objections to the M&R (Doc. No. 31),¹ and Defendant filed a Response (Doc. No. 32), this matter is now ripe for review.

After review of all matters, the Court **OVERRULES** Plaintiff's objections, **ACCEPTS** and **ADOPTS** the M&R, **DENIES** Plaintiff's Motion for Summary Judgment, **GRANTS** Defendant's Motion for Summary Judgment, and **AFFIRMS** the Commissioner's decision.

IT IS SO ORDERED.

Signed: February 15, 2016


Frank D. Whitney
Chief United States District Judge 

¹ Plaintiff's objections are listed on the docket as "Appeal of Magistrate Judge Decision" (Doc. No. 31), and Defendant's response is listed on the docket as "Reply to Objection" (Doc. No. 32).